

'BOB' BURMAN MEETS DEATH WHEN HIS CAR LEAVES TRACK

Machine Loses Wheel Near Finish of Sensational Road Classic Won By O'Donnell and Dashes Through Rails Into Crowd

FIVE PERSONS ARE HURT AND ONE WOMAN ARRESTED

Wife of Dead Racer Orders Mrs. Mary Clark Into Custody in Presence of Husband's Body For Alleged Theft of Diamond

(Associated Press by Federal Wireless.)

LOS ANGELES, April 9.—One driver and two others are dead, five persons are seriously injured and a woman is in jail charged with attempting to rob the dying automobile racer.

These are some of the dramatic features of the Corona "boulevard speed test" held on the famous asphalt track that encircles the little California citrus town near this city yesterday. Driver O'Donnell won the race in the phenomenal time of three hours, twenty-nine minutes and fifty-two seconds. Thomas was second and Pullen third.

The dead are: BOB BURMAN, one of the stars among the drivers entered in the race.

ERIC SCHROEDER, Burman's mechanic.

W. H. SPEERGARD, a spectator.

Diamond Pin Is Stolen

The first report said that "dozens" had been injured, and in that count were included many women who had fainted when the great car driven by Burman crashed through the "safety first device" of three rails, set in a series on the back stretch, and came in among the crowded seats.

Mrs. Mary Clark of Los Angeles, charged with attempting to steal a diamond pin, valued at \$800, from the fatally injured driver, is in jail awaiting a hearing. Her accuser is Mrs. Burman, who, standing by the side of her mangled husband, yet was collected enough to note the circumstances and charge Mrs. Clark with robbery.

Precautions Against Accident

Every possible arrangement had been made to avert an accident at the track, and when the thousands of spectators began filing to their seats around the two-and-three-quarter mile track, the statement was made that "nothing could happen to mar the event."

Nothing did happen until Burman, flying at terrific speed, reached the back stretch on his ninety-seventh lap, with only twelve more laps to make. Suddenly his car was seen to swerve toward the center of the track as it cast a wheel, then turn and dive headlong directly toward the rails that had been placed to protect the crowd from such a contingency. Although the rails had been well greased so as to slide the car along, the impact was too direct and the machine crashed through them as though the heavy timbers had been thread. Here Speergard was killed.

Burman Thrown Through Air

Burman's body was sent flying in one direction and Schroeder's in another. The car turned over and over.

As speedily as possible Burman, Schroeder and Speergard were rushed to the temporary

GERMANY DENIES SINKING SHIPS

Not Responsible For Destruction of Four Big Steamers, Says Berlin Statement

(Associated Press by Federal Wireless.)

LONDON, April 9.—The German government has issued an official statement formally denying that it is in any way responsible for the sinking of the steamers, Manchester, Bagin, Eaglepoint, Berwinde and Englishman. The statement declares that the admiralty has been conducting a careful investigation of the destruction of all of these vessels and is unable to discover that any blame attaches to Germany for their loss.

Earlier in the day Berlin issued another statement in which it was claimed that no Teuton submarine had attacked the channel steamer Sussex, which crippled the steamer and caused the loss of many lives.

Despite these denials of the German admiralty losses of ships at sea, and with out warning, continue. The steamer Brautman and the schooner Clyde were blown up, and the schooner Chantala on her way to Calcutta from British ports, was torpedoed and sunk in the war zone, and nine seamen killed. The French fishing smack St. Marie was sunk and her crew narrowly escaped with their lives.

Paris reports, however, that a French submarine attacked and succeeded in sinking an Austrian transport in the Adriatic sea.

REVENGE ON UNCLE SAM NO PART OF GERMAN PLAN

(Associated Press by Federal Wireless.)

BERLIN, April 8.—Gottlieb von Jagow, German minister of foreign affairs, is quoted today as saying: "I sometimes think there might be some basis for the stories of an understanding of some sort between Washington and the Allies, a feeling of repentment and talk of revenge upon the United States is apparent among the masses, but no responsible official takes such a view."

NAVAL OFFICERS SHIFTED

(Associated Press by Federal Wireless.)

WASHINGTON, April 9.—Orders have been issued by the navy department shifting Capt. R. C. Smith, who has been acting as supervisor of the port of New York, to succeed Captain Maxwell, who has been in command of the station at Guam. The change will take place immediately. Captain Osman, commanding the Georgia, will succeed Captain Smith at New York.

CRUISER ORDERED TO CHINA

(Special Cablegram to Nippon Jiji.)

TOKYO, April 8.—The Japanese government has sent a warning to an unnamed port in China to protect the Japanese interests. The captain of the Chikaya received a sealed order today from the minister of the navy, and departed at once for the Chinese port. It was announced that the mission of the Chikaya will be an important one, but the name of the port could not be ascertained, although it is believed that the Chikaya will go to Canton.

JAPANESE SHIP IS MISSING

(Associated Press by Federal Wireless.)

LONDON, April 9.—The Japanese steamer Ida Maru, bound from Seattle to Vladivostok with a cargo of general merchandise and munitions, is reported by Lloyds as being twelve days overdue.

LIEUT.-COL. T. RIVERS ILL

(Associated Press by Federal Wireless.)

EL PASO, April 8.—Lieut.-col. Tyree Rivers of the Thirteenth United States cavalry is ill of pneumonia at Casas Grandes, in the field hospital there, and his condition is serious.

emergency hospital which had been erected beside the track near the grandstand. There surgeons were waiting, and one of them got to work stripping Burman's clothes from his body, which was terribly mangled. Mrs. Burman, who had been in the grandstand watching the race, hurried to the hospital as soon as the word of the accident reached her.

Diamond Found On Woman

She found the tent in which the hospital was housed surrounded by masses of humanity and had great difficulty in forcing her way through. When she entered, several others, among them Mrs. Mary Clark, entered also. The surgeon was at work removing Burman's clothing, and in cutting the cloth away from the body came upon the valuable diamond pin the driver had been wearing. He passed the pin behind him with the remark, "Hold this."

Mrs. Clark is said to have taken the pin and immediately tried to slip out of the hospital, but Mrs. Burman, who had seen the whole thing, stopped her and insisted upon the restoration of the pin. When Mrs. Clark was arrested and searched the pin was found in her corset.

UNCLE SAM WONT WITHDRAW TROOPS CHASING BANDITS

Secretary of War Baker Flatly Denies Reports of An American Backdown

ORDERS TO FUNSTON ARE MADE PUBLIC AT CAPITAL

Villa Bands Must Be Broken and Eliminated From the Mexican Situation

(Associated Press by Federal Wireless.)

WASHINGTON, April 9.—The situation in Mexico appeared last night to be brightening markedly, according to reports that were made public by the war department. Secretary of War Baker, who earlier in the day had flatly denied reports that the government was planning to withdraw General Pershing and his column, from the pursuit of Villa, declared last night he had received word that the capture of Villa now appears assured, and within a fairly short period of time.

Will Not Withdraw

In making the latter news public, Mr. Baker said that so far as he is aware the government has not the slightest intention of backing down until Villa is a prisoner, or so completely crushed as no longer to be a factor in the Mexican situation.

"General Funston will consider his orders unfulfilled until Villa is eliminated," is the way the secretary of war put the case to newspaper men. "There is absolutely no basis for any kind of a report of preparation for withdrawing the American troops," added the secretary. "Our troops are moving south and the orders to General Funston are unchanged."

Orders to Funston

In connection with the reports that the United States soldiers may soon be withdrawn from Mexico, the original order given to General Funston directing the formation of the punitive expedition has been made public.

The order does not include the phrase, "Get Villa dead or alive," which was reported after the raid on Columbus to be part of the instructions to Funston. It says that the work of the troops will be regarded as finished as soon as Villa's bands are broken.

Secretary of State Lansing said today that no withdrawal is contemplated so far as he knows.

Carranza Worried

It is admitted here, however, that the continued presence of American soldiers in Mexico is troubling the Carranza faction considerably, and reports that they have repeatedly pointed out that the main object of the American "invasion" has been obtained, and Villa crushed. This much having been accomplished, they declare this is the logical time for the United States to withdraw.

VILLA, WOUNDED, IS HEADED FOR PARRAL

HEADQUARTERS U. S. EXPEDITION, South of Niquipa, Mex., April 8.—It is now reported to American officers that because of his wounds General Villa is being carried on a stretcher by his own guards, and that he has left a rear guard to hold back the pursuers if they approach him too closely. He is believed to be heading for Parral.

The troops this afternoon took a fresh trail as the result of reports made by aviators and observers who believe they are on the trail of a Villa band.

CAPTAIN AND FOUR MEN DIE WHEN SCHOONER SINKS

(Associated Press by Federal Wireless.)

EUREKA, California, April 9.—The gasoline schooner Magnolia, laden with lumber, overturned while crossing Klamath bay yesterday afternoon, during a heavy storm. Her captain, Edward Johnson, and four members of the crew perished.

WAR DEPARTMENT SCORES LARGE WATERWAY PROJECT

(Associated Press by Federal Wireless.)

WASHINGTON, April 9.—War department officials have reported favorably to congress upon the proposal to construct a waterway between Lake Superior and the headquarters of the Mississippi river. The department report says that such a canal would cost more than seven million dollars.

BARNES MEN ARE BEATEN

(Associated Press by Federal Wireless.)

NEW YORK, April 8.—Frederick Turner and his associates won a fight today to continue him as chairman of the state Republican committee, and to elect to the following of Barnes to oust him having failed.

FIGHT VICTIM MAY DIE

(Special by Mutual Wireless.)

MILO, April 8.—In a fight starting Friday morning, between three Porto Ricans belonging to the Paraisito camp, one of the men was badly slashed about the arm, chest and shoulder, and may die. His two assailants were arrested.

SERVES THE WHOLE FAMILY.

The fame of Chamberlain's Cough Remedy is world wide. It is good for the deep seated cough of the adult or the croup and whooping cough of the children. The same bottle serves the whole family. For sale by all dealers, Benson Smith & Co., agents for Hawaii.

PUBLICITY BALKS PLANS OF MAKEE TO SEIZE WATER

Kauai Believes Scheme For Obtaining License From Territory Is Defeated

GOVERNOR THOUGHT LIKELY TO APPROVE OF RAILROAD

In Address Mr. Pinkham Declares He Is Honest and Scores 'Slander'

(Special by Mutual Wireless.)

LIHUE, Kauai, April 8.—It is generally conceded on Kauai that plans of Col. Z. S. Spaulding, owner of Makee plantation, for securing from the Territory a water license, covering all government waters of Kauai, has been defeated by the publicity given the scheme by the Honolulu newspapers. The first exposure of this was made by The Advertiser, but newspapers about it as impracticable.

Indications are that Governor Pinkham now is willing to approve the railroad-building plans of the Lihue plantation, held up since October, 1914.

Governor Scores 'Slander'

Governor Pinkham and his party were meeting here yesterday. The Governor read an address denouncing slanderous statements and gossip published by the press. He declared his own fearlessness and honesty.

B. G. Rivenburgh, commissioner of public lands, interviewed holders of Kauai homesteaders individually and privately, as to their desires. The new plan suggested for control of the Kauai government streams is for general conservation with government operation. This is criticized by well informed men as impracticable.

Meeting on Tuesday

There will be a meeting of the Kauai Chamber of Commerce at Lihue Tuesday evening, which the Governor has been requested to attend, the invitation having been extended on his arrival Friday, but the date not having been set.

Attorney general I. M. Stalnacke, C. R. Forbes, superintendent of public works, Frank E. Thompson, attorney for Lihue plantation, and Judge A. A. Wilder, representing the homesteaders, are returning to Honolulu this afternoon, arriving tomorrow morning.

AIKING OF SITUATION ADEQUATE WATER GRAB

This dispatch from a staff correspondent for The Advertiser on Kauai indicates that the Aiking of the Kauai situation has defeated the water grab and has forced the Governor into a change of attitude, victory for the homesteaders in all important points being forecast.

It appears that Colonel Spaulding's water license cannot be obtained now. The Advertiser published last Monday a digest of this quoted extensively and later gave figures showing in what manner it would operate.

With the water license a parently being made, the Governor apparently ready to approve plans for Lihue plantation's railroad, the homesteaders fight has been taken far toward victory.

A significant portion of the dispatch is that relating to Mr. Rivenburgh meeting homesteaders privately and individually. It was the Governor's intention to call them together at Kona, where Colonel Spaulding would have heard what each man had to say, but the condemnation of Kauai, expressed through The Advertiser, forced him to change, and seemingly has resulted in the homesteaders being given an opportunity to speak freely, without endangering their economic futures.

NEW AMBASSADOR TO RUSSIAN COURT SAILS

(Associated Press by Federal Wireless.)

NEW YORK, April 9.—David H. Francis of Missouri, recently appointed ambassador to Russia, sailed for his new post yesterday on board the Swedish steamer Oscar II. He will stop at Copenhagen before proceeding on his journey to Petrograd. He announced before sailing that Frederick M. Deering of Columbia, Missouri, is to be first secretary of the embassy, and that others of the staff have been retained.

WILL PROBE FINANCIAL CONDITION IN JAPAN

(Special Cablegram to Nippon Jiji.)

TOKYO, April 8.—A committee for economical investigation will be appointed by the Japanese government. This committee will look into the financial status and commercial condition of Japan. The committee will consist of one chairman, two vice-chairmen and fifty members. Count Okuma will be the chairman, and T. Takatori, minister of the treasury, and H. Kono, minister of agriculture and commerce, will be the vice-chairmen.

SENATE SETS DATE FOR VOTE ON ARMY MEASURE

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WASHINGTON, April 8.—President Wilson today on the presidential yacht "Coral Sea" will start a week-end trip down the Potomac on account of the storm.

WAIKOLOA PLATEAU WATERS PROPERTY OF THE TERRITORY

Judge Matthewman, Acting As Commissioner, Has Decided Important Waimea Controversy

EXPERT AGEE IS HANDED ROAST FOR UNFAIRNESS

Arthur G. Smith and Judge Perry Victorious In Hard-Fought Legal Battle

(Associated Press by Federal Wireless.)

NEW YORK, April 8.—A strong movement for the nomination of E. H. Root, ex-senator and ex-cabinet member, at the Republican national convention in Chicago next June, is taking shape here.

Today the Root team was launched with a statement signed by seventy-four prominent men. Among his supporters is Robert Bacon, former United States ambassador to France and former secretary of state who says, "My first choice is Root and second choice Roosevelt."

William Barnes, the Republican state leader, many of whose adherents have signed the statement, said today that the movement in reality is a maneuver to help the candidacy of Theodore Roosevelt.

Copies of Circuit Judge Matthewman's opinion settling the controversy relating to the waters of the Waikoloa plateau in South Kohala, Hawaii, in the case of Alfred W. Carter, trustee for the Parker Ranch, against the Territory of Hawaii and others, in which Judge Matthewman sat as commissioner, were received in Honolulu yesterday.

The water dispute, which was an important one, was heard during a period of several months in Waimea, Hawaii, and Honolulu. The case was fought throughout with much energy and hundreds of witnesses were heard. The Territory wins out under Judge Matthewman's opinion. Lindsay and Lyner represented Mr. Carter, the petitioner-trustee, while Deputy Attorney General Arthur G. Smith and Judge Antonio Perry represented the Territory and other respondents. Judge Perry, however, conducted most of the case for the government, as Mr. Smith was compelled long before the end of the hearing to devote his time to his work here in the attorney general's office.

Opinion Is Lengthy

The opinion covers eighteen pages of forty-two lines and was signed by Judge Matthewman at his home in Kula, Hawaii, North Kona, Hawaii, on April 6, as of April 3.

"The commissioner can only adjudicate old established rights," Judge Matthewman says in one part of his opinion. "He cannot make new ones, even by way of equitable substitution. The law on this point is beyond question, as pointed out in the Territory's brief."

Judge Matthewman compared the frank and open testimony given by many of the old Hawaiians called as witnesses with the lack of such frankness and fairness on the part of others. In one place, speaking of the present flow of water in the Waikoloa stream, Judge Matthewman says:

"In the light of this treatment of the present stream flow, the claims of counsel for the petitioner for the land of Lihue are fantastic, particularly with reference to the expert Agée."

Expert Agée Roasted

"The latter manifested such a lack of frankness and fairness that his evidence cannot be relied upon. Such a finding is here made without hesitancy and probably is not unexpected by the petitioner, in view of the difficulties which counsel on both sides, as well as the court, experienced in the proceedings in Honolulu."

In finding in favor of the Territory and the other respondents in the case Judge Matthewman says, in the concluding paragraphs of the opinion:

"Pursuant to the views above expressed, it is hereby decreed that, as the waters of Waikoloa stream belong to the government, subject only to ancient water rights incident to particular lands of private parties, and, as the ancient water rights so claimed have not been established, all the waters of this stream are the property of the Territory of Hawaii, imposed only with the obligation of supplying the people resident on the ahupua'a of Waimea with water for household purposes."

"The costs of this proceeding are taxed against the petitioner."

CHARLES A. KIBLING, FORMER PURSER, DEAD

(Associated Press by Federal Wireless.)

NEW YORK, April 9.—Charles A. Kibling, former purser of the steamer Claudine and known to the thousands who travel between islands in Hawaii, is dead. He passed away at home yesterday at his home, 1715 South King street, after a illness of two years' duration. His body was cremated yesterday.

Kibling was born in Wailuku, Maui on October 15, 1861, and was fifty-four years old at his last birthday. He was employed by the old Wilder Steamship Company, prior to the days of the merger with the Inter Island Steam Navigation Company and after that continued in the service of the latter until about two years ago when he retired owing to illness. Kibling was purser of the steamer Claudine from the time she made her first inter-island run until he was forced to leave the ship.

The deceased is survived by a widow and two daughters by a former marriage. The daughters are Miss May Kibling and Mrs. Frederick Wilhelm. There is also a brother, Abner Kibling of 811 N. N. street, connected with the local Salvation Army.

Was Known By Thousands Who Travel Between Islands

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START ROOT BOOM WITH GREAT BANG

New Yorkers Back Candidacy of Former Senator For Presidency: Roosevelt Next

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GERMAN STEAMER REPORTED ON SEAS

(Associated Press by Federal Wireless.)

LONDON, April 9.—The fortunes of war appear to have swung again toward the German allies yesterday. On both fronts, east and west the Teutonic armies are reported to have beaten back the attempts of their foes and to have made noticeable strides forward.

On the Italian front the Austrians too have been successful in forcing the Italian troops to retreat in several places, according to Vienna reports and is at least one place, by the admission of the official statement from Rome.

Germans Make Gains

The official statements of the fighting about Verdun are more harmonious than they have been for some time. Berlin's claims to have wrested positions more than two kilometers wide from the French west of the Meuse, and the French official communiqué admits that the Teutons have secured a foothold in "two small field works between Haucourt and Hill 287," where there has been so much bitter fighting of late.

With Bethincourt as the apex of the salient the French line thrusts an elbow into the German front west of the Meuse river, and yesterday the Teutons resumed their fierce bombardment of that whole position in the hope of being able to force the French back and straighten their own lines. Both sides of the salient were attacked, and as noted above, made slight gains near Haucourt. On the far side of the wedge, however, the French held their own, though, as Paris confesses, with difficulty, and even managed to beat the Teutonic attacks by the use of hand grenades, near Bethincourt.

Slavs Pound Hard

The fighting on the eastern front shows that the Russians are continuing their desperate offensive against the Teutonic lines near the lake Narocz. Other attacks are reported north and south of that point.

The Austrians claim to have taken prisoners and ground from the Italians, although three Austrian aeroplanes were shot down by the Italian gunners. In the official account of the day's fighting, issued by the Italian war office at Rome, the admission is made that the Italians were compelled to withdraw troops on the Ranthoch, which they had but recently occupied, "in order to avoid exposing our troops to useless loss under the enemy's batteries."

The communique goes on to assert that the Italians repulsed a surprise attack near Voili, and in the Montone zone counterattacked and drove the Austrians back in disorder. Seventy-five prisoners, machine guns and other booty were taken. An Austrian post in the Goshan sector was surrounded and captured.

HOLLAND CALLING HOUT EVERY MAN

(Associated Press by Federal Wireless.)

THE HAGUE, Netherlands, April 8.—As shown by Holland is making all her available troops on her borders to preserve neutrality, if belligerents should attempt invasion, a bill was submitted to the second chamber today to authorize a call, if necessary, for the recruits of the 1917 class to join the colors. The regulars are all under arms.

STATE DEPARTMENT POST ABOLISHED BY CONGRESS

(Associated Press by Federal Wireless.)

WASHINGTON, April 9.—Congress yesterday voted into the legislative, executive and judicial bill a provision abolishing the title of counselor to the state department. The measure, which was passed, carries \$28,192,172 in appropriations. The bill is now in the state department and will be by the present secretary, who was called upon to assist William J. Bryan because of a deep knowledge of international law. There have been other instances when secretaries of state, feeling the need of expert legal advice on tangled questions, have called upon outsiders, who have been given the title of counselor.

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